

## **Remarks**

Claims 1-20 are pending in the application. Claims 1-8 were rejected and claims 9-20 were allowed. By this Amendment, claims 1 and 6-8 have been amended. Reconsideration of the claims is respectfully requested. No new matter has been added.

### **Objection to the Drawings**

Figure 1 was objected to as not having suitable legends. In a telephone call with the Examiner on December 14, 2004, the Examiner indicated that this objection could be cured by labeling blocks 18, 24, 34, 38 and 40. Applicants have amended Figure 1 in accordance with the Examiner's suggestions. As a result, this objection is believed to be overcome.

### **Objection to the Claims**

Claims 7 and 8 were objected to due to various informalities. Applicants have amended claim 7 to recite a "gas pedal position sensor" as proposed by the Examiner. In addition, the specification has been amended to coincide with amended claim 7. As a result, these objections are believed to be overcome.

### **Rejection Under 35 U.S.C. §112**

Claims 6-8 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Antecedent basis is now provided for the terms "first threshold value" and "second threshold value" in amended claim 1. As a result, this rejection is believed to be overcome.

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Reply to Office Action of October 5, 2004

### Rejection Under 35 U.S.C. § 102

Three rejections under § 102 were presented in the Office Action. Claim 1 was rejected under § 102(b) as being anticipated by U.S. Patent No. 6,059,064 issued to Nagano et al. (hereinafter “Nagano ‘064”). Claims 1, 2, 4, 6 and 7 were rejected under § 102(b) as being anticipated by U.S. Patent No. 6,307,277 issued to Tamai et al. (hereinafter “Tamai ‘227”). Claims 1-4 were rejected under § 102(e) as being anticipated by U.S. Patent No. 6,701,229 issued to Iwasaki (hereinafter “Iwasaki ‘229”). Applicants have amended claim 1 to more distinctly recite the present invention. Amended claim 1 recites “activating the first power source if the vehicle speed value is less than a first threshold value and the brake system is in a released condition, or if the vehicle speed exceeds a second threshold value, or if a third threshold value has been exceeded.” In the Office Action, the Examiner stated that “the prior art of record does not show or reasonably suggest, in combination with the other claimed subject matter, determining whether a third threshold value has been exceeded and deciding whether to activate or stop an engine based [on] vehicle speed, brake engagement and the third threshold value.” As a result, Applicants believe that the Nagano ‘064, Tamai ‘227, and Iwasaki ‘229 rejections have been overcome. Since claims 2-4, 6 and 7 depend on amended claim 1, Applicants believe the rejection of these claims is overcome for the same reasons.

### Rejection Under 35 U.S.C. § 103

Claims 3 and 5 were rejected under § 103(a) as being unpatentable over U.S. Patent No. 6,518,732 issued to Palanisamy (hereinafter “Palanisamy ‘732”). Claims 3 and 5 depend on amended claim 1. Amended claim 1 is believed to be allowable for the reasons previously discussed. Consequently, Applicants believe claims 3 and 5 are allowable for the same reasons.

Claim 5 is rejected under § 103(a) as being unpatentable over Iwasaki ‘229 in view of Palanisamy ‘732. Claim 5 depends on amended claim 1. Amended claim 1 is believed to be allowable for the reasons previously discussed. Consequently, Applicants believe claim 5 is allowable for the same reasons.

**Conclusion**

Applicants have made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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